


21 400 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Kotoku Kurachi *et al.***
Serial No.: **10/018,392**
Filed: **12/6/01**
Entitled: **NUCLEOTIDE SEQUENCES FOR GENE REGULATION AND METHODS OF USE THEREOF**
Group No.:
Examiner:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231

<p align="center">CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)</p> <p>I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box PCT, United States Patent and Trademark Office, Washington, D.C. 20231, on August 16, 2002.</p> <p align="right">By:  Christopher J. Collins</p>
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Sir or Madam:

In response to the Notice to File Missing Parts of Application -- Filing Date Granted (Form PTO-1533) mailed **March 6, 2002** (a copy of which is enclosed), applicants submit the following documents:

- ▶ Executed declaration or oath
- ▶ an Assignment document for recording whereby the subject application and the invention disclosed therein is assigned to THE REGENTS OF THE UNIVERSITY OF MICHIGAN, 3003 South State Street, An Arbor, Michigan 48109 and a Recordation Form Cover Sheet - Patents Only (Form PTO-1595)
- ▶ Power of Attorney by Assignee
- ▶ Sequence Listing on a computer-readable diskette - There were conflicting statements on

the Notification of Missing Requirements in regards to the sequence listing. The applicant spoke with Bob of the rules interpretation section, phone number (703) 308-4216. Bob informed the applicant that we only need to provide a computer readable diskette and a certificate stating that the diskette is the same as the paper copy as filed. The diskette was never logged into the system.

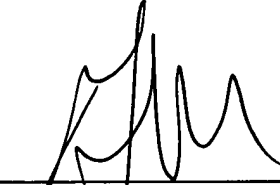
- ▶ Certificate re: Sequence Listing
- ▶ Petition for extension of time for filing within the fourth month
- ▶ Copy of the Notification of Missing Requirements

A check in the amount of **\$825.00** is enclosed herewith to cover:

\$65.00 surcharge for filing missing parts of an application
\$40.00 recordation fee
\$720.00 for filing a four month extension of time

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. **08-1290**. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Dated: August 16, 2002



Peter G. Carroll
Registration No. 32,837

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415/904-6500



UNITED STATES PATENT AND TRADEMARK OFFICE

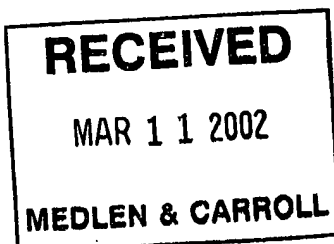
 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

CAM

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/018,392	Kurachi	UM-06855

INTERNATIONAL APPLICATION NO.	
PCT/US00/15728	
I.A. FILING DATE	PRIORITY DATE
06/06/2000	06/09/1999

Brown Thomas W
 Medlen & Carroll
 101 Howard Street
 Suite 350
 San Francisco, CA 94105



CONFIRMATION NO. 7886
 371 FORMALITIES LETTER



OC000000007580438

Date Mailed: 03/06/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

5/6/02 RLO

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 305-3653

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/018,392	PCT/US00/15728	UM-06855